

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

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IN RE MICROSOFT CORP. :  
ANTITRUST LITIGATION :  
: :  
This Document Relates To: : MDL No. 1332  
: Hon. J. Frederick Motz  
: :  
*Cheeseman v. Microsoft Corp.*, :  
(No. 1:00-1269) :  
: :  
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**MICROSOFT'S MOTION TO DISMISS THE *CHEESEMAN* ACTION  
AND TO RECOVER ITS COSTS INCURRED IN BRINGING THIS MOTION**

Defendant Microsoft Corporation moves this Court for an order  
dismissing the *Cheeseman* action and ordering plaintiffs' lawyers, Johnson & Perkinson,  
LLP, to pay Microsoft's costs of bringing this motion, including its reasonable attorneys'  
fees. The reasons for this motion are set forth in Microsoft's Memorandum of Law in  
Support of its Motion to Dismiss the *Cheeseman* Action and to Recover its Costs  
Incurred in Bringing This Motion.

Dated: August 24, 2005

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that copies of the foregoing "Microsoft's Motion To Dismiss The *Cheeseman* Action And To Recover Its Costs Incurred in Bringing This Motion," Microsoft's memorandum in support of that motion, and Declaration of Randolph Sergent, with Exhibits, were served this 24<sup>th</sup> day of August, 2005 via the Court's electronic filing system and via overnight delivery upon the following counsel:

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